



**REGULAR MEETING
MINUTES
Wednesday, July 23, 2014
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 PM

Case Review Roll Call

Rotker	Hawkins	Ybarra	Taylor	VACANT	Jackson	Roberts	VACANT	Adams
✓	✓	L (4:25)	L (4:10)	■	✓	✓	■	✓

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early **■** = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

This is an opportunity for members of the public to address the Commission on closed session items.

There were no public comments.

Closed Session – Case Review

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:10 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	12-007	PA-12-02011
2)	13-024	PC-13-07040
3)	14-001	PC-14-01002
4)	14-006	PC-14-02006

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Hawkins	Ybarra	Taylor	VACANT	Jackson	Roberts	VACANT	Adams
✓	✓	✓	✓	■	✓	✓	■	✓

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

'Thank You' Presentation

'Thank You' to Commissioner Joe Ortiz for his service to the City of Riverside as a CPRC Commissioner from 2011 to 2013.

Mr. Hauptmann thanked Commissioner Ortiz for his service to Riverside. He said it was a tremendous loss when Commissioner Ortiz had to resign because he moved out of Ward 2. He noted that it was possible Commissioner Ortiz might serve on the Commission in the future, but as a resident of Ward 3. Mr. Hauptmann then presented Commissioner Ortiz with a gift commemorating his service with the Commission.

Commissioner Ortiz thanked him and said it was an honor to serve on the CPRC.

Commissioner Rotker said "we're gonna try to get you back" and said Commissioner Ortiz was great to work with.

Commissioner Ybarra thanked Commissioner Ortiz but also charged him to recruit for his replacement.

Public Comments

Public comment on any subject matter within the Commission's jurisdiction.

Mr. Greg Smith said he has applied for the Ward 2 vacancy. He said he is a recent graduate of the Regional Leadership Academy of the Inland Empire Economic Partnership. He said that fair and balanced law enforcement is vital for the Inland Empire. He is the President of the Crest HOA so he is used to running a community. He has a technology background and works for National Instruments and is a UCR graduate. He said he has lived in Riverside for 46 years and realized the he had lived here all his life but was never proactive in the community so he applied for the CPRC Ward 2 vacancy.

Ms. Carolyn Brodeur spoke to the Commission regarding a complaint she had filed in 2013, but she noted that it had not been seen or reviewed by the Commission. She also expressed concern over a meeting she had with an RPD lieutenant. The lieutenant had scheduled this meeting for 6:45 AM at Magnolia Station.

Approval of Minutes

Commissioner Rotker recommended that all corrections and / or modifications be approved, but that all instances of "Chairperson" be changed to "Chair". He then made the motion that the minutes as amended, be approved.

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) June Regular Meeting	Rotker	Roberts	Unanimous	0	0

Outreach

A) June / July Outreach

Chair Jackson opened Outreach and turned discussion over to Vice-Chair Adams.

Vice-Chair Adams:

- July 12 – Walk with the Mayor

Commissioner Ybarra:

- July 12 – Walk with the Mayor

Commissioner Rotker:

- July 19 – Ward 5 Annual Constituent Appreciation BBQ

B) Scheduled Outreach Events

There were no scheduled Outreach events.

C) Future Outreach Opportunities

- 1) Input from Outreach Coordinator on upcoming outreach events
- 2) Input from Commission Members on potential outreach events

Vice-Chair Adams noted the following upcoming events:

- August 5 – National Night Out

There were no other events noted.

Meetings and Training Sessions

Reports from Commissioners on meetings and / or training sessions attended in May / June.

Vice-Chair Adams:

- June 25 & 26 – Mental Health Training Sessions at Riverside Police Department
- July 8 – Meeting with Chair Jackson and Mr. Hauptmann
- July 11 – Mental Health Committee Meeting
 - Met with Chair Jackson and Commissioner Ybarra; Commissioner Roberts was unable to attend.
 - Discussed Crisis Intervention Training that several Commissioners attended in June.
 - Discussed whether or not all uniformed officers are trained in crisis intervention, what situations RPD expects officers to use the training, and would it have been used in situations similar to the Sherron OID.
 - Learned at the training that Officer Rick McDonald will have the mental health clinician as a full-time ride-along and would like to know more about the implementation of this.
 - Committee would like Mr. Hauptmann to speak with Chief Diaz about the Ad-hoc Committee meeting with Officer McDonald and Lt. Heiting, the training presenter, and then possibly schedule them for a presentation with the new Mental Health Team.
- Outreach – no recent meeting.
 - Waiting for Mr. Hauptmann to finish the Outreach PowerPoint.

Commissioner Ybarra:

- June 25 & 26 – Mental Health Training Sessions at Riverside Police Department

Commissioner Taylor:

- June 25 & 26 – Mental Health Training Sessions at Riverside Police Department

Chair Jackson:

- June 25 & 26 – Mental Health Training Sessions at Riverside Police Department
- July 8 – Meeting with Vice-Chair Adams and Mr. Hauptmann
- July 11 – Mental Health Committee Meeting
- July 11 – NACOLE 2015 Planning Committee Meeting

Mr. Hauptmann:

- July 8 – Meeting with Chair Jackson and Vice-Chair Adams

CPRC Ad-hoc Committees

Reports from Committee Chairs, with Commission discussion and action, if any, regarding respective Committee activities and / or recommendations:

- A) Policies, Procedures, and Bylaws Committee: Commissioner Rotker – Chair
- B) Outreach Committee: Vice-Chair Adams – Chair
- C) Policing and Mental Health Committee: Vice-Chair Adams – Chair
- D) NACOLE 2015 Conference Planning Committee: Commissioner Roberts – Chair

A) Policies, Procedures, and Bylaws Committee

Commissioner Rotker said that Committee progress has been slow due to turnover of members. He said he asked the Committee Members Hawkins and Ybarra to meet with him briefly after this evening's meeting.

B) Outreach Committee

Vice-Chair Adams reported the Committee's activities in "Meetings and Training Sessions".

C) Policing and Mental Health Committee

Vice-Chair Adams reported the Committee's activities in "Meetings and Training Sessions".

D) NACOLE 2015 Conference Planning Committee

Commissioner Roberts said the Committee had not met recently. She said that Ms. Sherron had sent Committee Members information she had obtained regarding pricing for use of the Historic Courthouse.

Chair Jackson said that former Commissioner Ortiz would still be involved. She also said that most CPRC Commissioners would be attending this year's NACOLE Conference and asked that they sign up for NACOLE Committees in preparation for the 2015 Conference.

OLD BUSINESS

Sherron Officer-Involved Death (OID) Case Evaluation

Continued discussion and action, if any, on the Sherron OID Case Evaluation. The Commission may return to discussion of completed Stages, if needed.

- A) Stage I – Commission Member Review: Completed
- B) Stage II – Fact Finding, Request for Training & Investigation: Completed
- C) Stage III – Policy and Procedure Process: Completed
- D) Stage IV – Deliberation and Finding Process: In Process
- E) Stage V – Recommendation Process: In Process
- F) Stage VI – Written Public Report: In Process

Chair Jackson began by noting that discussion of the recommendations had been held until Commissioner Taylor was present. She then opened for discussion.

Commissioner Taylor said he wanted to get a clear understanding about RPD's actions after the incident happened in 2012. He said he felt that a number of issues would have been identified and acted on by RPD and that he wanted to know about that before deciding on any formal policy recommendations.

Asst. Chief Vicino had several recommendations after reviewing the administrative report. He said that since some involved tactics, he would prefer not to discuss them in open session. Any concerns noted on the investigative side have been discussed with Dep. Chief Greer. Asst. Chief Vicino said that the tracking of shots, along with other particulars, could've been handled better. He said that all recommendations from CPRC are welcome.

Commissioner Rotker said that Commissioner Taylor's recommendations were well thought out, but a decision needed to be made as to whether they should be submitted as a formal recommendation. He said that Commissioner Taylor is pointing out tactical concerns and said he wasn't sure the Commission should be making recommendations regarding tactics. He was concerned with the question of jeopardizing other residents and wondered if the residents should have been evacuated by RPD. He suggested that maybe the public report should only contain comments and no recommendations.

Chair Jackson said she was undecided as well. She noted that it was one thing to recommend a policy change and another to recommend training. She said she was concerned about the stacking, that different sergeants were issuing orders, and that officers were very exposed. She also expressed concern about the less-lethal officer walking in front of Mr. Sherron's open apartment door. Regarding the evacuations of residents, she said she was leaning more toward safety and training.

Mr. Hauptmann said the Commissioners are charged with asking questions, whether or not they have law enforcement experience. If a Commissioner believes that the tactics used weren't good, that concern needs to be voiced. He noted the Commission can make policy recommendations on anything and that having them considered is what the Commission needs to do. He agreed that the Commission shouldn't write a policy on tactics, but that the questions should be asked.

Commissioner Ybarra commented that whether or not a Commissioner has law enforcement experience, items of concern need to be addressed. He said his main concern was with leadership during the incident.

Commissioner Taylor said he hadn't yet drafted a formal recommendation. He asked if the Commission could learn whether or not RPD had already addressed any of the Commission's concerns.

Mr. Hauptmann said that some of the concerns may have already been addressed, but that the Commission wouldn't know that until its review of the Administrative Casebook. Even though the nature of those concerns and how they were addressed can't be discussed in Open Session, it can be noted for the public that the concerns had been addressed by RPD.

Commissioner Rotker asked if concerns noted in the approved public report could be revisited after the Closed Session review of the case.

Mr. Hauptmann said that policy recommendations can come out of closed session, but that the public report could not be reopened and revised. He said that if the Commission's concerns are not addressed in the administrative review of the case, then a policy recommendation can be made. He also noted that the public report should note the Commission's concerns whether or not a policy recommendation results from those concerns.

Chair Jackson said she is concerned about the stacking procedure. She said Commissioners must voice their concerns because if they don't, it will appear as if there were none.

Commissioner Roberts said that if the Commission hasn't seen a recent General Order from RPD reflecting a policy change regarding Commission concerns, then a policy change has not been made.

Commissioner Taylor said that RPD said the Commission would be advised of policy changes, but asked if that was the same with training changes.

Mr. Hauptmann said that if officer training changes as a result of an event, the Commission would be informed of that change. He said he would talk to RPD about that being done. He also said that, if possible, the training changes would be discussed in Open Session.

Commissioner Hawkins asked if any of the recommendations could be discussed in Open Session. Mr. Hauptmann said it was dependent of the nature of the discussion, but that the general concern can be raised and discussed in Open Session.

Chair Jackson said nothing can be discussed regarding the actions of specific officers that were discussed during closed session.

Mr. Hauptmann said that while all discussion of formal policy recommendations must be done in open session, those discussions will not be specific to anything discussed in closed session.

Chair Jackson noted that Asst. Chief Vicino and Lt. Loftus were very encouraging and supportive of the Commission making policy recommendations. She then asked Commissioner Taylor if he felt that any of his recommendations should be formalized.

Commissioner Taylor said that the majority of his recommendations involved training concerns, tactics, and officer safety. He also had concerns about the way the dispatchers gave incident information to responding officers. He said that if officers had known they had been to Mr. Sherron's the week before, the incident might have been handled differently. He said a policy recommendation had previously been submitted on this concern, but had been rejected.

Chair Jackson said the recommendation could be reworded and resubmitted to which Commissioner Taylor agreed. She then asked Commissioners if they felt their concerns rose to the level of a formal recommendation. As there were no definite responses, Chair Jackson recommended that two or three Commissioners meet to review the recommendations and discuss the question of formal recommendations. She asked who was interested in volunteering for this group. Commissioners Taylor and Hawkins volunteered and Mr. Hauptmann said he would meet with them as well.

Chair Jackson then ended discussion of this item.

Ciaramella Officer-Involved Death (OID) Case Evaluation

Begin discussion on the Ciaramella OID Case Evaluation. The Commission may return to discussion of completed Stages, if needed.

- A) CPRC Investigator Mike Bumcrot: Case Presentation and Commission Questions**
- B) Stage I – Commission Member Review: In Process**
- C) Stage II – Fact Finding, Request for Training & Investigation: In Process**
- D) Stage III – Policy and Procedure Process**
- E) Stage IV – Deliberation and Finding Process**
- F) Stage V – Recommendation Process**
- G) Stage VI – Written Public Report**

Chair Jackson opened by noting the Commission was just starting on this case. She said that CPRC Investigator Bumcrot had spoken to the Commission on this case at the previous meeting. She said she had reviewed the entire case and that it was fortunate that no officers were harmed. She was also "amazed" by the involvement and coordination of the victims in this case.

Chair Jackson began her summary by stating that Mr. Ciaramella had stolen a car from a local store close to where the victim lived. Mr. Ciaramella drove the stolen car back to the apartment complex where she lived, and the victim's brother saw the car in the complex where he also lived. The brother blocked his sister's stolen car with his own car and had a confrontation with Mr. Ciaramella. Mr. Ciaramella tried to

drive away, but when he realized he couldn't, he got out of the car and then stole another car in the apartment complex.

While this was taking place, another resident entered the complex and realized Mr. Ciaramella was in the process of stealing a car. This resident tried to make contact with Mr. Ciaramella, but Mr. Ciaramella "put the car in action." The resident then drove his car to a gate he believed the suspect would be going toward and placed his car across the gate to prevent the suspect from exiting the complex.

There are two gates in this apartment complex, an east and west gate. Mr. Ciaramella started at the west gate in an attempt to leave through the east gate and realized he was trapped by officers at that gate. He then put the car in reverse and went back around the entire complex in reverse, driving between 30 – 50 miles an hour.

Mr. Ciaramella was able to get past the resident's car at the other gate, but found more police officers. After realizing that he was surrounded by civilians who did not want him to escape, as well as officers who had him at gun point, he revved his car and drove toward the patrol car driven by Officer Oakes. While driving toward this car, he almost hit another officer. Then Officer Fast ran up from a patrol car behind Officer Oakes. The officers realized that the suspect was aiming at the driver's door of Officer Oakes' vehicle while Officer Oakes was still in the vehicle. Officers Oakes and Fast then fired at Mr. Ciaramella. Mr. Ciaramella subsequently died of gunshot wounds at the hospital.

Chair Jackson said she had looked the incident photos which included aerial shots and said they were helpful in providing a better idea of the area involved.

There was a brief discussion about the previous request to have CPRC Investigator Bumcrot take photos of the scene, but it was noted that Mr. Bumcrot would take scene photos for all new cases.

Commissioner Rotker asked about the status of the Fact Sheet. Mr. Hauptmann said he had completed the rough draft and that he should have it to Ms. Sherron for posting by week's end.

Chair Jackson asked if there were any requests for training; there were none. She ended discussion by noting that the case is in the early stages and asked Commissioners to have the case reviewed by the August Regular Meeting.

NEW BUSINESS

Staff Report

Mr. Hauptmann had nothing to report.

Commissioner Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Commissioner Roberts asked Mr. Hauptmann who the Commission's contact would be in the City Attorney's Office since the departure of Greg Priamos. Mr. Hauptmann said it would be Dep. City Atty. (CA) Rahman Gerren. Mr. Hauptmann said there would be an Interim CA, but didn't know who that would be or how soon the interim would be appointed.

Commissioner Taylor said that the Commission should participate in "Nextdoor", the online social networking site for neighborhood groups. Ms. Sherron said she would check with Ms. Elliott in the Mayor's Office about it.

Items for Future Commission Consideration

Chair Jackson asked that discussion of the City's Code of Ethics be agendaized for discussion at the August Regular Meeting.

Commissioner Roberts asked Mr. Hauptmann if the Commission received information other than RPD General Order such as RPD Training or Standard Operating Procedures (SOPs). Mr. Hauptmann said he would discuss obtaining this information with Chief Diaz and Asst. Chief Vicino and advise as to their response.

Vice-Chair Adams asked Mr. Hauptmann why the CPRC Annual Report wasn't presented to City Council this year. Mr. Hauptmann said it wasn't presented last year. Commissioner Roberts said she gave copies of the 2012 Annual Report to Councilmembers when she, as CPRC Chair, gave a report to Council in 2013. Mr. Hauptmann said he would check on whether or not a separate presentation of the Annual Report was made to City Council in 2013.

Chair Jackson closed by noting that:

- Commissioners Taylor and Hawkins would be meeting with Mr. Hauptmann to discuss potential policy recommendations for the Sherron OID Case.
- Commissioner Rotker would be meeting with Commissioners Hawkins and Ybarra after tonight's meeting to briefly discuss assignments and the next meeting date for the Policies, Procedures, & By-Laws Ad-hoc Committee.

Adjournment

The Commission adjourned at 7:26 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist

07-23-14 Minutes – July Regular